

### **Spacing Issue to Channel 285C2 at Marble Falls**

The spacing study shows an apparent short-spacing to the licensed operation of station KXXS on Channel 285C2 at Marble Falls. That station, however, was reallocated to Channel 285A at Dripping Springs by the Report and Order in MB Docket No. 03-195, released on November 26, 2003. That action is now final, and KXXS has been granted a construction permit on Channel 285A at Dripping Springs. The proposed allotment of Channel 284C3 at Llano is fully-spaced to the KXXS construction permit at Dripping Springs.

### **Channel 252A at Junction**

As outlined in the attached channel study, Channel 252A can be substituted for vacant Channel 284A at Junction in compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments. For this study allotment site coordinates at N30-29-00 x W99-45-29 have been used. This site is 1.7 kilometers east of Junction. The nominal distance to the 70 dBu F(50,50) contour for a Class A station is 16.2 kilometers. Therefore, and as demonstrated by the attached 70 dBu contour map, this site will provide greater than 70 dBu coverage for all of Junction.

This same channel substitution has also been proposed by the Elgin FM counterproposal in MB Docket No. 03-149, discussed *supra*. It is critical to note that Munbilla's proposal to substitute Channel 252A for vacant Channel 284A at Junction does not in any way rely upon, and is therefore not contingent upon, the outcome of MB Docket No. 03-149. The allotment of Channel 252A at Junction, whether in the context of the instant proposal or the Elgin FM

counterproposal, does not rely on changes to any other allotment or operating station. The channel substitution at Junction can be made either in MB Docket No. 03-149 or in the current proceeding (MB Docket No. 04-348); either action will accommodate the instant proposal.

#### **Channel 295A at Blanket**

As outlined in the attached channel study, Channel 295A can be substituted for vacant Channel 284A at Blanket in compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments. A site restriction is necessary in order to avoid short-spacing to station KJTZ Channel 295C2 Stamford and station KDXX Channel 296C1 Benbrook, so for this study allotment site coordinates at N31-46-04 x W98-51-33 have been used. This site is 9 kilometers southwest of Blanket. The nominal distance to the 70 dBu F(50,50) contour for a Class A station is 16.2 kilometers. Therefore, and as demonstrated by the attached 70 dBu contour map, this site will provide greater than 70 dBu coverage for all of Blanket.

The proposed allotment of Channel 295A at Blanket is short-spaced to the lead proposal in MB Docket No. 04-348, namely the allotment of Channel 294A at Cross Plains as proposed by Crawford. Since the channel substitution at Blanket is necessary to accommodate the channel substitution at Llano, which in turn is necessary to accommodate the provision of a first local service at Granite Shoals, the Munbilla proposal must be considered as a counterproposal in the Cross Plains proceeding.

On May 13, 2003, Crawford filed a proposal (as yet undocketed) to drop-in vacant Channel 282A at Early, Texas. In order to accommodate the Early drop-in, Crawford would make changes to three existing allotments, including a change in the allotment site of vacant Channel 284A at Blanket. The instant proposal by Munbilla is fully compatible with Crawford's proposal for Early; Munbilla's proposed channel change at Blanket would obviate the need to change the Blanket 284A allotment site as proposed by Crawford.

Munbilla does not believe that the filing of the instant proposal draws Crawford's Early proposal into MB Docket No. 04-348. However, since the two proposals are mutually compatible Munbilla has no objection should the Commission determine that is appropriate to draw Crawford's Early proposal into this proceeding.

#### **Channel 295A at Kempner**

As outlined in the attached channel study, station KHLB operating on Channel 295A at Burnet can be reallocated to Kempner in compliance with the Commission's applicable Rules and Regulations regarding the separation among FM allotments. A site restriction is necessary in order to avoid short-spacing to station KOOC 292C3 Belton and vacant Channel 295A at Blanket (as proposed *infra*), so for this study allotment site coordinates at N31-03-24 x W97-58-40 have been used. This site is 2 kilometers south of Kempner. The nominal distance to the 70 dBu F(50,50) contour for a Class A station is 16.2 kilometers. Therefore, and as demonstrated by the attached 70 dBu contour map, this site will provide greater than 70 dBu coverage for all of Kempner.

Munbilla Broadcasting Properties, Ltd. is the licensee of station KHLB, and agrees to the reallocation of that station to Kempner in order to accommodate the allocation of Channel 293A at Granite Shoals.

The reallocation of KHLB Channel 295A Burnet to Channel 295A Kempner is necessary to permit the allocation of Channel 293A at Granite Shoals, as the first local service at that community. In addition, the allocation of Channel 295A at Kempner will provide the first local service at that community, which is an incorporated city with a 2000 Census population of 1,004 persons. Burnet will retain local service from stations KBEY-FM Channel 223A and KBEY 1340 kHz, and a vacant allocation on Channel 240A.

### **Conflicts with Other Allotment Proposals**

The instant reallocation plan is mutually-exclusive with four other allotment proposals, only one of which is docketed. (In addition there are relationships to, but no mutual exclusivity with, two other pending proposals as discussed *infra*: Crawford's undocketed proposal for Early and Elgin FM's counterproposal in MB Docket No. 03-149.) The attached schematic diagram depicts the relationships among the elements of the Munbilla proposal, and their relationships to other pending docketed and undocketed proposals. The mutual exclusivities are discussed below:

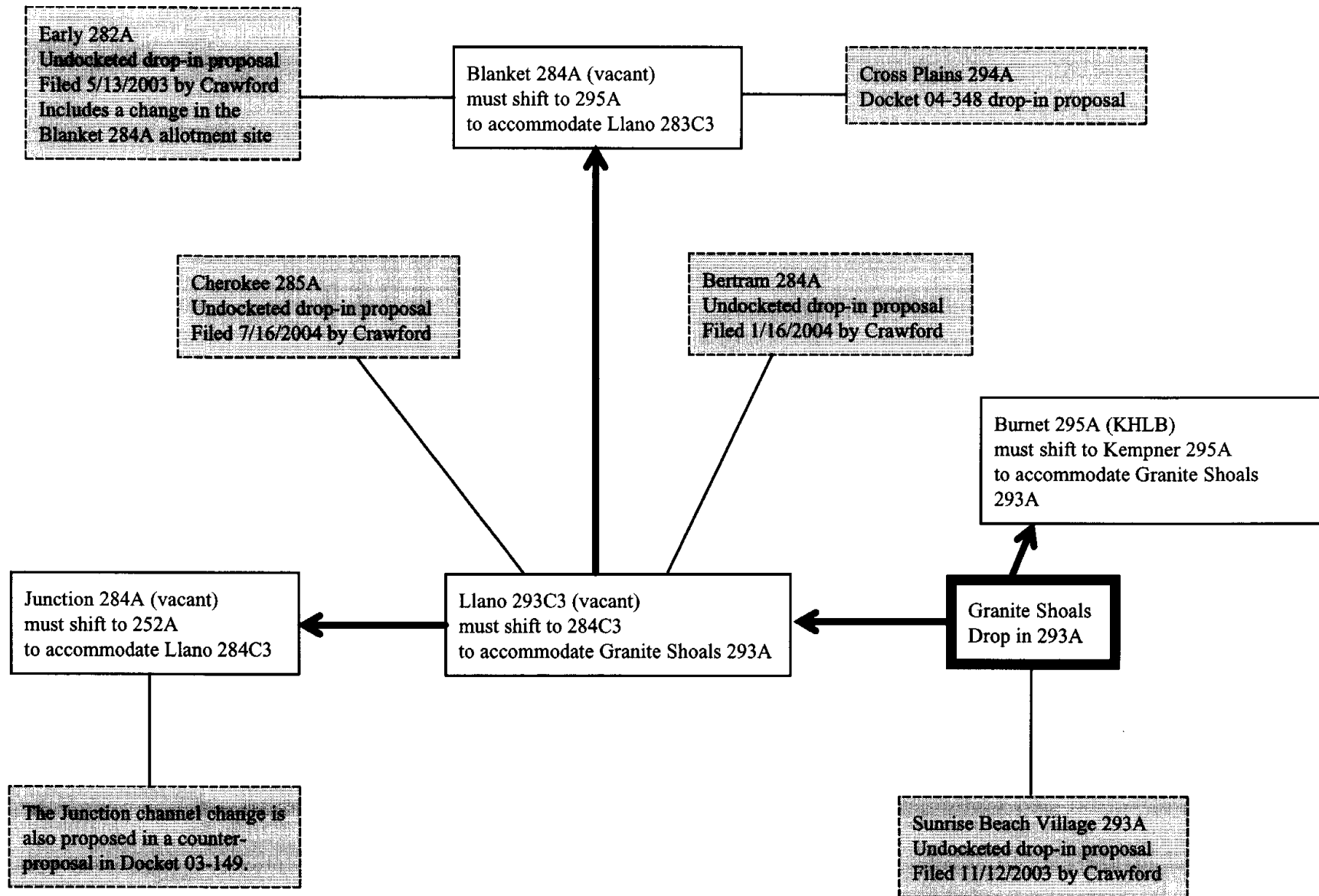
- 1) The proposed allotment of Channel 295A at Blanket is short-spaced to the lead proposal in the instant MB Docket No. 04-348, namely the allotment of Channel 294A at Cross Plains as proposed by Crawford.
  
- 2) The proposed allotment of Channel 293A at Granite Shoals is short-spaced to an undocketed proposal filed by Crawford on November 12, 2003, to allot vacant Channel 293A at Sunrise Beach Village, Texas. Crawford's Sunrise Beach Village proposal is defective in that it is short-spaced by 108 kilometers to the vacant Channel 293C3 allotment at Llano. This is not entirely surprising, since the allotment record for Channel 293C3 at Llano had for a time disappeared from the Commission's database coincident with the expiration of the original construction permit for station KEXX, which had been authorized on that allotment. Nevertheless, Crawford's failure to propose a fully-spaced site for Sunrise Beach Village, or to otherwise accommodate the Llano Channel 293C3 allotment, is fatal to his Sunrise Beach Village proposal.

3) The proposed allotment of Channel 284C3 at Llano is short-spaced to an undocketed proposal filed by Crawford on January 16, 2004, to allot vacant Channel 284A at Bertram, Texas.

4) The proposed allotment of Channel 284C3 at Llano is short-spaced to an undocketed proposal filed by Crawford on July 16, 2004, to allot vacant Channel 285A at Cherokee, Texas. As is demonstrated in the document to which this Engineering Statement is attached, Cherokee, an unincorporated community which is not listed in the 2000 Census, and which has a reported population of only 175 persons, does not qualify as a community for allotment purposes.

The instant proposal will provide the first local services to Granite Shoals, an incorporated community with a 2000 Census population of 2,040 persons, and Kempner, an incorporated community with a 2000 Census population of 1,004 persons. By contrast, Cross Plains has a 2000 Census population of 1,068 persons and Bertam has a 2000 Census population of 1,122 persons. (For reference, Sunrise Beach Village has a 2000 Census population of 704 persons and Cherokee has a reported population of 175 persons.) While each of these proposals would provide a first local service, the community of Granite Shoals should be preferred since it has the highest population.

## Schematic Representation of Granite Shoals Drop-in Proposal and Relationship to Other Proposals



### **Gain and Loss Areas**

The allotment of Channel 293A at Granite Shoals will produce a gain of 2,516 sq km encompassing a population of 41,527 persons.

The substitution of Channel 284C3 for Channel 293C3 at Llano will produce a gain area of 1,103 sq km encompassing a population of 16,967 persons; and a loss area of 1,103 sq km encompassing 4,229 persons; for no net change in area served and a net gain of 12,738 persons served.

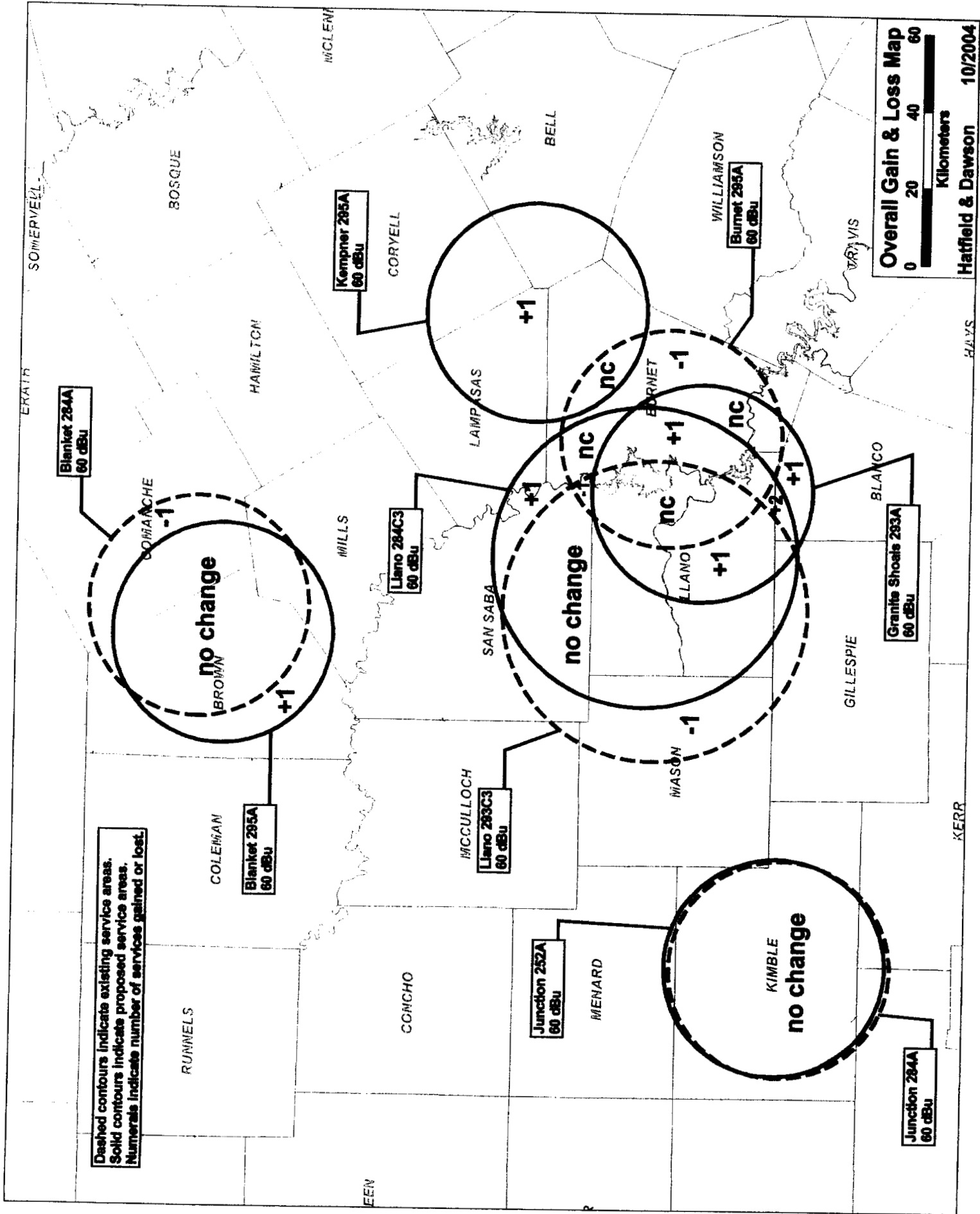
The substitution of Channel 252A for Channel 284A at Junction will produce a gain area of 78 sq km encompassing a population of 103 persons; and a loss area of 78 sq km encompassing 22 persons; for no net change in area served and a net gain of 81 persons served. (The Channel 252A allotment site is just 1.35 km from the Channel 284A allotment site.)

The substitution of Channel 295A for Channel 284A at Blanket will produce a gain area of 515 sq km encompassing a population of 5,720 persons; and a loss area of 515 sq km encompassing 3,706 persons; for no net change in area served and a net gain of 2,014 persons served.

The reallocation of Channel 295A from Burnet to Kempner will produce a gain area of 2,334 sq km encompassing a population of 165,840 persons; and a loss area of 2,334 sq km encompassing 41,741 persons; for no net change in area served and a net gain of 124,099 persons served.



Many of the gain and loss areas associated with the individual elements of the instant proposal overlap, thereby cancelling out certain service losses and in one case resulting in an area which gains two services. The interrelation between the gain and loss areas associated with the instant proposal is depicted on the attached map exhibit. Overall, a total of 189,304 persons in a 4,709 sq km area will receive at least one additional aural service, while only 12,286 persons in a 2,249 sq km area will lose one service, for a net gain of service to 177,018 persons in a 2,460 sq km area.



### Remaining Service Analysis

The proposed reallocation plan will not result in the creation of any white or gray areas. Only 30 persons would be left in underserved areas.<sup>1</sup> Detailed study has been made of each discrete loss area created by the instant proposal.<sup>2</sup>

#### Loss Area at Junction

Since the fully-spaced allotment site for Channel 252A at Junction is just 1.35 km from the existing Channel 284A allotment site at Junction, the associated loss area is a narrow crescent along the southwest side of the Channel 284A service area. Arguably this is a *de minimus* change in the service area of the Junction allotment. Nevertheless, study has been made of the remaining services in the Junction loss area.

Most of the Junction loss area will remain well-served, with five or more aural services remaining. A 33 sq km area will be left underserved, with four aural services remaining, but that area is unpopulated. The following facilities provide service to part

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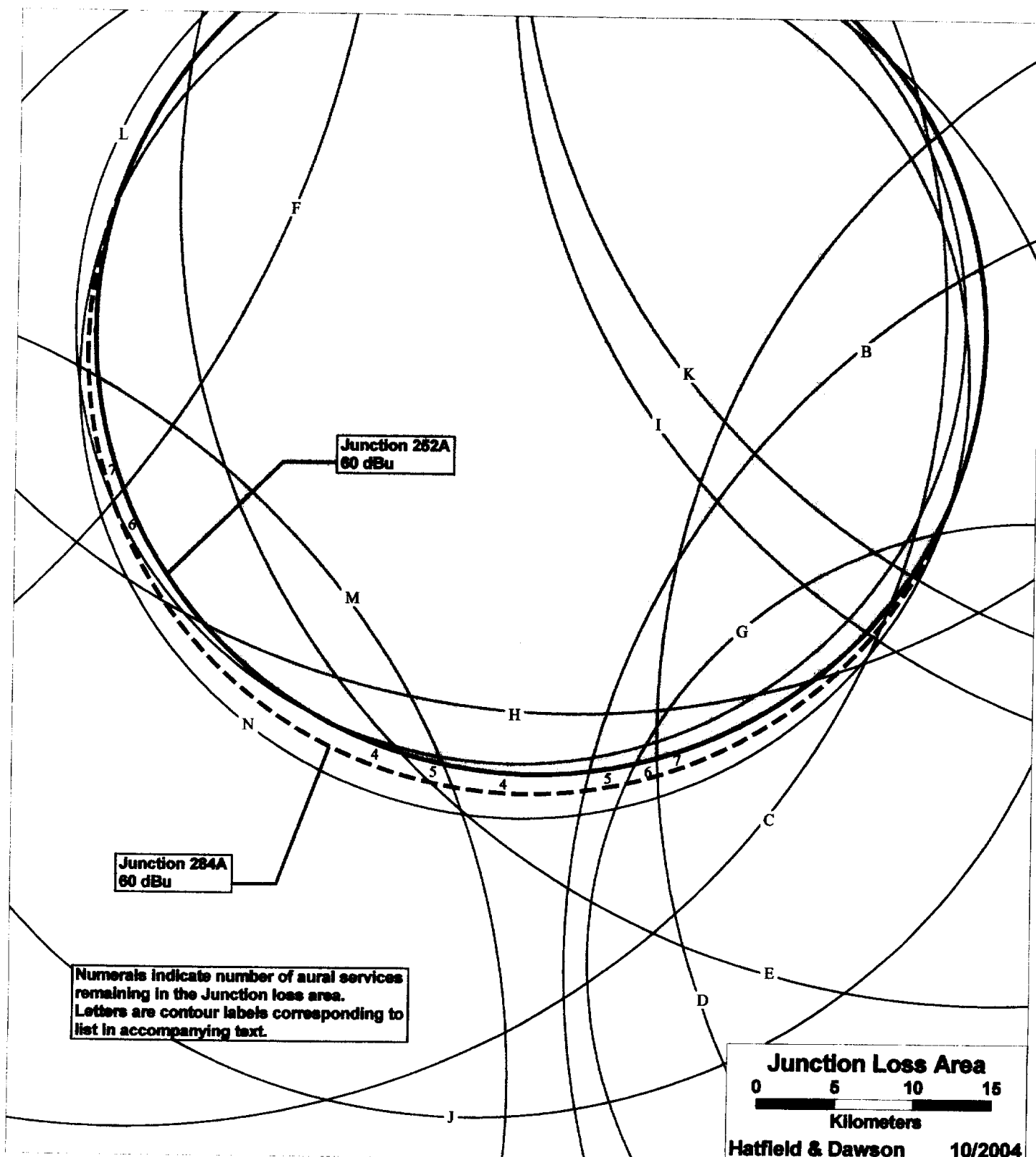
<sup>1</sup>These 30 persons would be far outweighed by the provision of first local service to the 2,040 persons living in Granite Shoals and the 1,004 persons living in Kempner, and the overall net gain in service to 177,018 persons.

<sup>2</sup>In determining reception service provided by FM stations, the area of service circumscribed by the station's 1.0 mV/m signal contour was considered, assuming 1) actual facilities for non-commercial stations operating on reserved channels, 2) maximum facilities for the class of station for stations (other than Class C stations) operating on non-reserved channels, and 3) minimum or existing Class C facilities, whichever is greater, for Class C stations. For clear channel Class A AM stations, the service area was defined by the station's 0.5 mV/m groundwave contour, based on its licensed facilities. For all other classes of full-time AM stations, reception service was defined as that service received within a station's nighttime interference-free contour. See Meeker and Craig, Colorado, 15 FCC Rcd 23858 (2000), Stamps and Fouke, Arkansas, 14 FCC Rcd 10533 (1999), Silverton and Bayfield, Colorado, 14 FCC Rcd 4071 (1999), Malvern and Bryant, Arkansas, 13 FCC Rcd 8426 (1998), and others.

or all of the Junction loss area. (Letters correspond to contour labels on the attached map exhibit.)

B	KRNH	222C2	Kerrville
C	KOOK	228C2	Junction
D	KRVL	232C2	Kerrville
E	KOTY	239C2	Mason
F	Vac	258C1	Eldorado
G	Vac	260A	Hunt
H	Vac	265C2	Menard
I	KBLK	273C2	Mason
J	Vac	277C3	Junction
K	Vac	281C2	Mason
L	Vac	292A	Junction
M	Vac	295C2	Rocksprings
N	Vac	297A	Junction

It should be noted that since Junction Channel 284A is a vacant allotment with no operating station, no persons in the loss area will lose any actual service upon which they have come to rely.

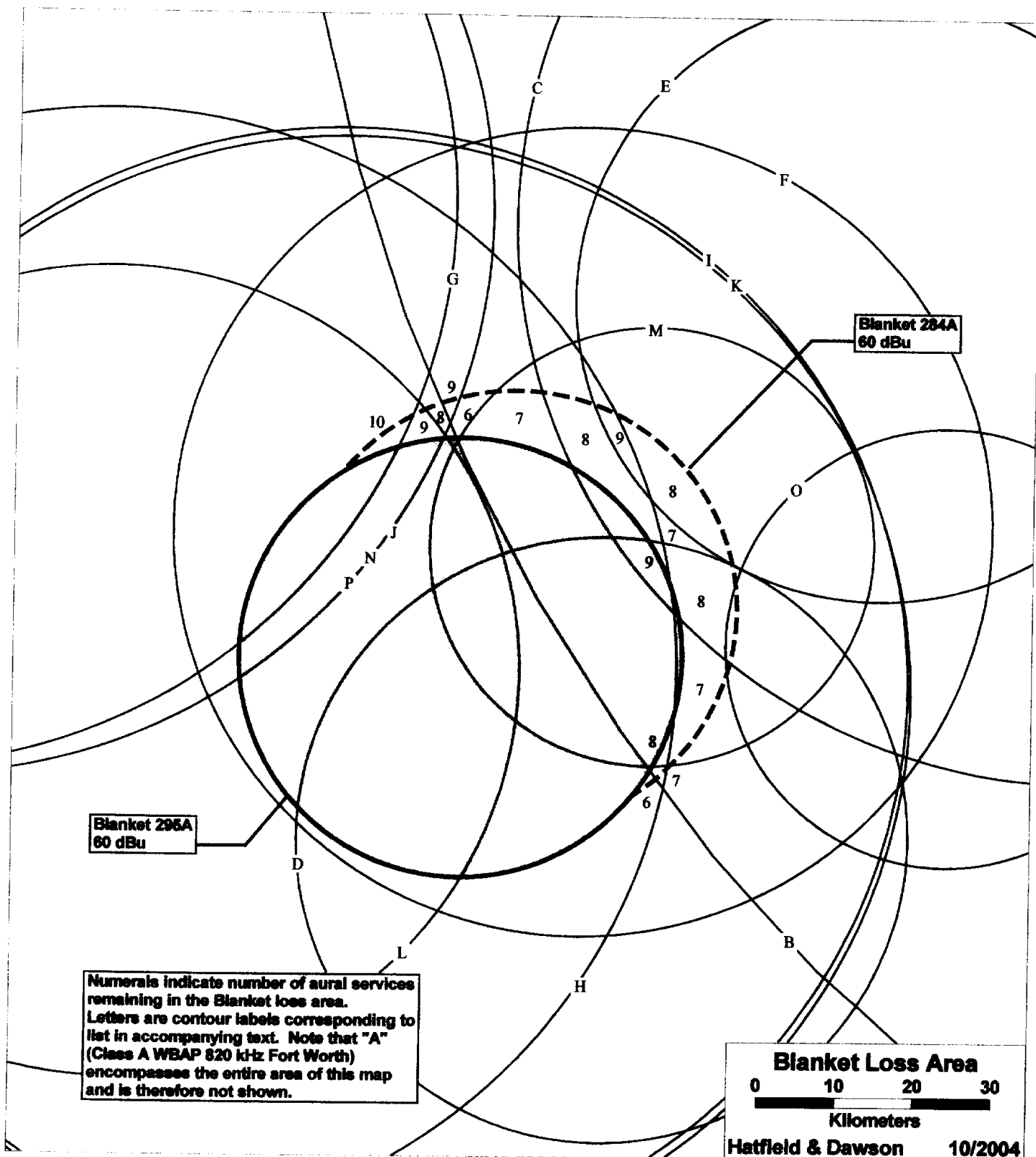


**Loss Area at Blanket**

All of the Blanket loss area will remain well-served, with five or more aural services remaining. Four stations (Class A WBAP 820 kHz Fort Worth, KYOX 232C2 Comanche, KPSM 257C1 Brownwood, and KOXE 267C1 Brownwood) each provide service to 100% of the Blanket loss area. The following facilities provide service to part or all of the Blanket loss area. (Letters correspond to contour labels on the attached map exhibit.)

A	WBAP	820 kHz	Fort Worth (Class A)
B	KRLD	1080 kHz	Dallas (Class A)
C	KTFW-FM	221C1	Glen Rose
D	Vac	224C3	Mullin
E	KSTV-FM	226C3	Dublin
F	KYOX	232C2	Comanche
G	KNCE	236C1	Baird
H	KXYL-FM	245C1	Brownwood
I	KPSM	257C1	Brownwood
J	KHYS	264C1	Abilene
K	KOXE	267C1	Brownwood
L	KXCT	272C2	Coleman
M	Vac	280A	Comanche
N	KEAN-FM	286C1	Abilene
O	Vac	299A	Hamilton
P	KEYJ-FM	300C1	Abilene

It should be noted that since Blanket Channel 284A is a vacant allotment with no operating station, no persons in the loss area will lose any actual service upon which they have come to rely.





### Loss Area at Llano

Most of the Llano loss area will remain well-served, with five or more aural services remaining. An 85 sq km area will be left with three aural services remaining, with a population of 24 persons. A 41 sq km area will be left with four aural services remaining, with a population of 6 persons. The following facilities provide service to part or all of the Llano loss area. (Letters correspond to contour labels on the attached map exhibit.)

A	WBAP	820 kHz	Fort Worth (Class A)
B	WOAI	1200 kHz	San Antonio (Class A)
C	KGLF	201A	Doss
D	KTXI	211C2	Ingram
E	KRNH	222C2	Kerrville
F	Vac	224A	Mason
G	KDHT	227C	Cedar Park
H	KRVL	232C2	Kerrville
I	KCOR-FM	236C1	Comfort
J	KNEL-FM	237A	Brady
K	KOTY	239C2	Mason
L	KQBT	242A	Llano
M	Vac	252A	Richland Springs
N	KPSM	257C1	Brownwood
O	Vac	259A	Mason
P	Vac	265C2	Menard
Q	KOXE	267C1	Brownwood
R	KBLK	273C2	Mason

S	Vac	281C2	Mason
T	KNAF-FM	289C3	Fredericksburg
U	KBAL-FM	291A	San Saba
V	KFAN-FM	300C3	Johnson City

It should be noted that since Llano Channel 293C3 is a vacant allotment with no operating station, no persons in the loss area will lose any actual service upon which they have come to rely.

Numerale indicate number of aural services remaining in the Llano loss area.  
Letters are contour labels corresponding to list in accompanying text.

Llano 284C3  
60 dBu

Llano 293C3  
60 dBu

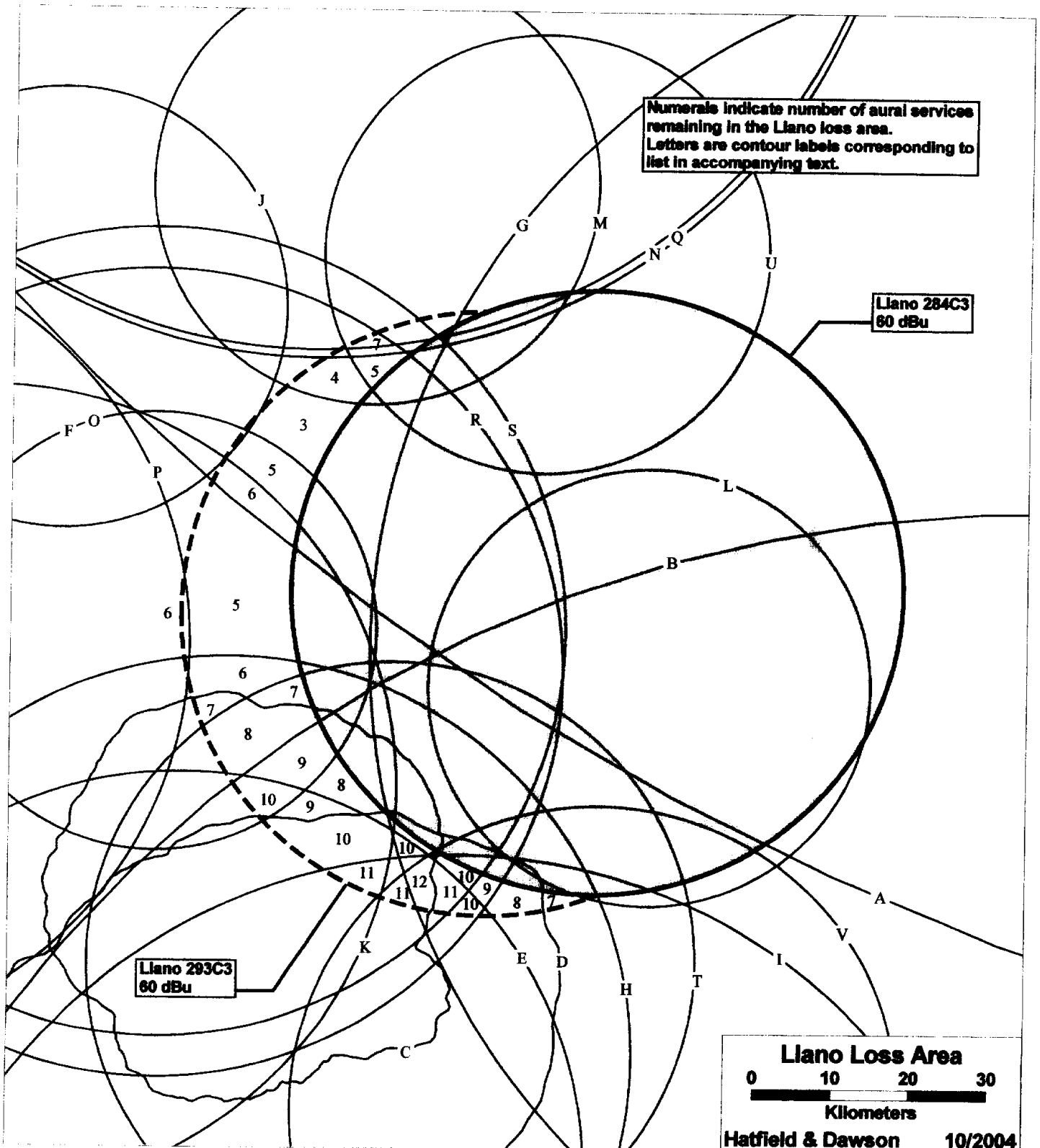
**Llano Loss Area**

0 10 20 30

Kilometers

Hatfield & Dawson

10/2004



### Loss Area at Burnet

All of the Burnet loss area will remain well-served, with five or more aural services remaining. Three stations (Class A WBAP 820 kHz Fort Worth, KBEY 223A Burnet, and KDHT 227C Cedar Park) each provide service to 100% of the Burnet loss area. The following facilities provide service to part or all of the Burnet loss area. (Letters correspond to contour labels on the attached map exhibit.)

A	WBAP	820 kHz	Fort Worth (Class A)
B	WOAI	1200 kHz	San Antonio (Class A)
C	KBEY	1340 kHz	Burnet (NIF = 22.1 mV/m)
D	KBMD	203A	Marble Falls
E	KMFA	208C1	Austin
F	KUT	213C1	Austin
G	KNCT-FM	217C1	Killeen
H	New CP	220A	Dripping Springs
I	KBEY-FM	223A	Burnet
J	KDHT	227C	Cedar Park
K	KLBJ-FM	229C	Austin
L	KAMX	234C	Luling
M	KKMJ-FM	238C1	Austin
N	Vac	240A	Burnet
O	KQBT	242A	Llano
P	KHFI-FM	244C1	Georgetown
Q	KVET-FM	251C1	Austin
R	KHHL	255C2	Leander
S	KASE-FM	264C	Austin
T	KROX-FM	268C2	Buda

U	KACQ	270A	Lometa
V	KPEZ	272C2	Austin
W	KITY	275A	Llano
X	KSSM	276C3	Copperas Cove
Y	KBPA	278C	San Marcos
Z	Vac	284C3	Llano
AA	KUSJ	288C2	Harker Heights
AB	KFMK	290C2	Round Rock
AC	KINV	299C3	Georgetown

Numerals indicate number of aural services remaining in the Burnet loss area.  
Letters are contour labels corresponding to list in accompanying text.

Kempner 295A  
60 dBu

Llano 284C3  
60 dBu

Burnet 295A  
60 dBu

Llano 293C3  
60 dBu

Granite Shoals 293A  
60 dBu

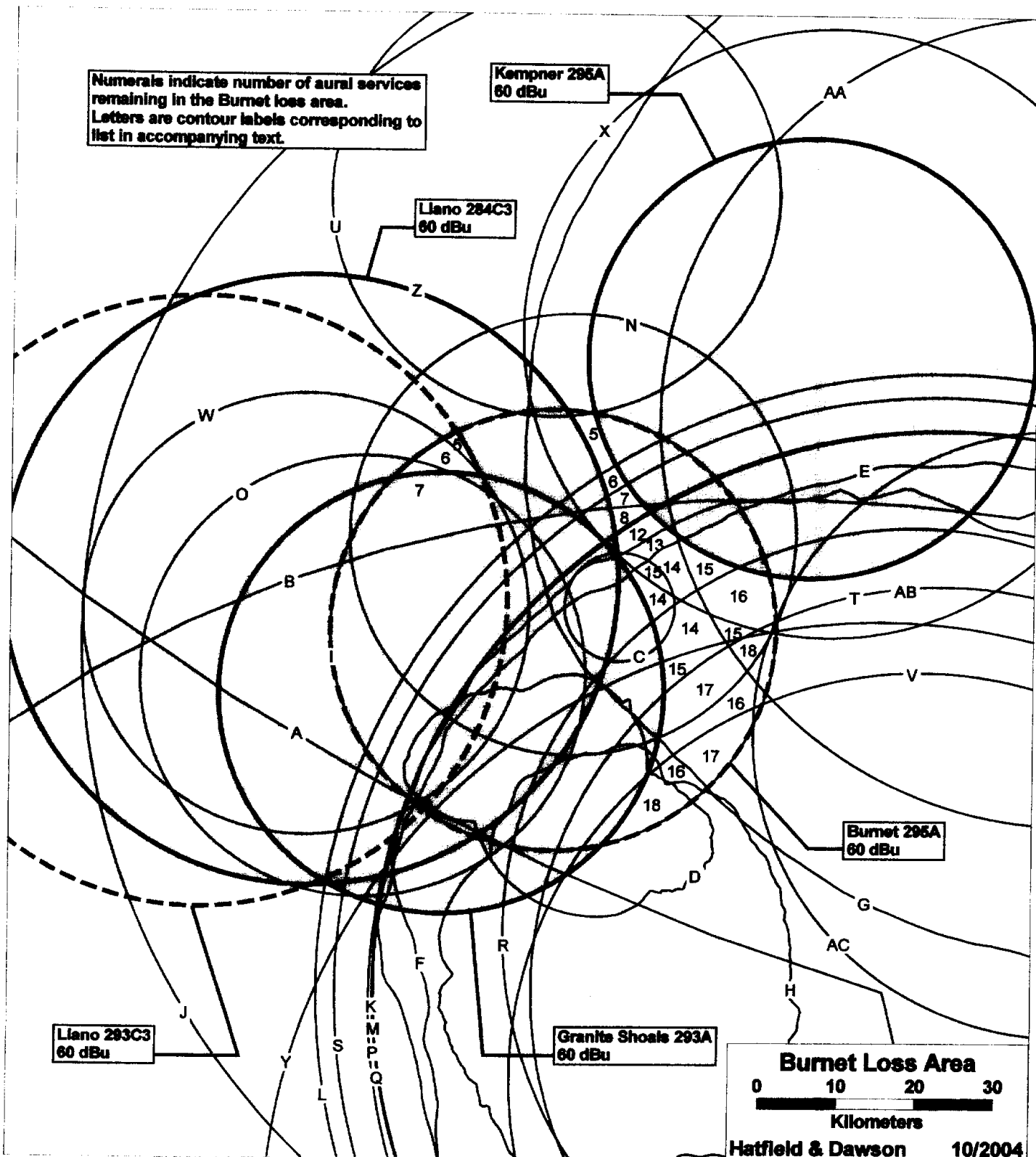
**Burnet Loss Area**

0 10 20 30

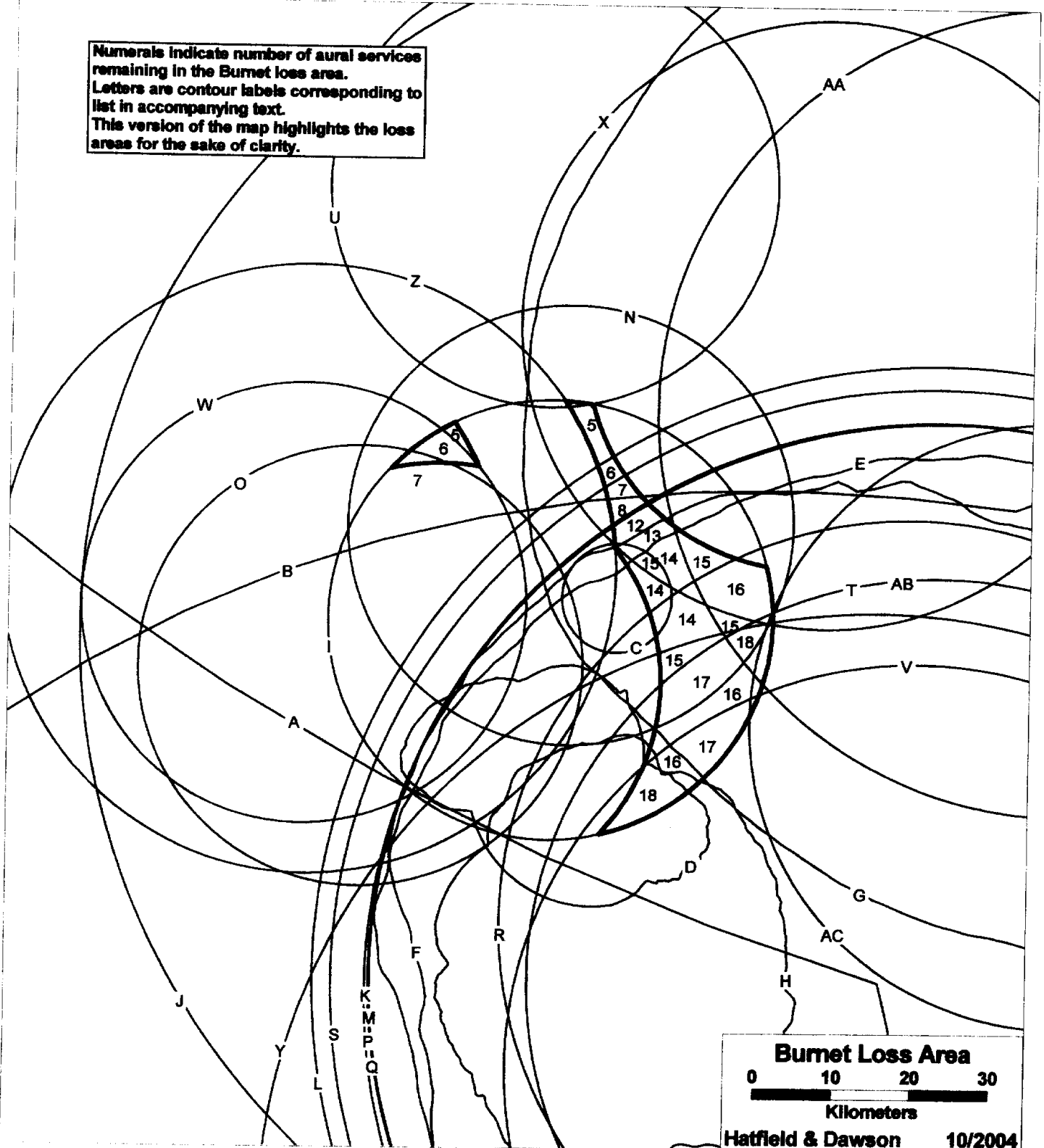
Kilometers

Hatfield & Dawson

10/2004



Numerals indicate number of aural services remaining in the Burnet loss area.  
Letters are contour labels corresponding to list in accompanying text.  
This version of the map highlights the loss areas for the sake of clarity.



### **No Tuck Analysis Required**

The reallocation of KHLB Channel 295A Burnet to Channel 295A Kempner is the only element of the instant proposal which involves the reallocation of an existing station to provide a first local service. Kempner is located proximate to, but not within, the Killeen Urbanized Area. The proposed allocation of Channel 295A at Kempner will provide 70 dBu service to only 20% (34 sq km of 166 sq km) of the area of the Killeen UA, and only 19% (31,490 of 167,304 persons) of the population of the Killeen UA. Therefore, no "Tuck" analysis is necessary as a part of the instant proposal.



**Statement of Engineer**

This Engineering Statement supporting a Petition for Rulemaking to revise the Table of Allotments at Blanket, Burnet, Granite Shoals, Junction, Kempner, and Llano, Texas, has been prepared Erik C. Swanson under my direct supervision. All representations herein are true to the best of my knowledge. I am an experienced radio engineer whose qualifications are a matter of record with the Federal Communications Commission. I am a partner in the firm of Hatfield & Dawson Consulting Engineers and am Registered as a Professional Engineer in the States of Washington and California.

Signed this 19<sup>th</sup> day of October, 2004.



Benjamin F. Dawson III, P.E.

A handwritten signature in black ink, appearing to read "Erik C. Swanson".

Erik C. Swanson

Hatfield & Dawson Consulting Engineers